

PHILIP HENRY FRAZIER, )  
 )  
 Petitioner, )  
 )  
 vs. ) Case No. 4:03CV01060 ERW  
 )  
 UNITED STATES OF AMERICA, )  
 )  
 Respondent. )

This matter comes before the Court on Petitioner’s request for “Leave to File a Application for Certificate of Appealability Instante” [doc. #60]. In a Memorandum and Order dated January 27, 2009, the Court found that Petitioner had filed three successive § 2255 motions. The Court determined that Petitioner’s pattern of filing frivolous and improper motions in this case was an abuse of this Court’s resources, and stated that the Court will no longer allow Petitioner to file any motions in this case without first obtaining leave of Court. The Court stated that any motion for relief in this case must be accompanied by a request for leave of Court to file such motion and an affidavit that sets forth the legal and factual basis for such motion.


Accordingly,

**IT IS HEREBY ORDERED** that Petitioner's Request for Leave to File a Application for Certificate of Appealability Instanter [doc. #60] is **DENIED**.

**IT IS FURTHER ORDERED** that the Clerk of Court shall not accept any additional filings in this action.

**IT IS FURTHER ORDERED** that Petitioner shall direct all future pleadings to the Eighth Circuit Court of Appeals.

Dated this 28th Day of August, 2009.

  
E. RICHARD WEBBER  
UNITED STATES DISTRICT JUDGE